

IN THE DISTRICT COURT OF THE UNITED STATES

FOR THE DISTRICT OF SOUTH CAROLINA

FLORENCE DIVISION

UNITED STATES OF AMERICA)	CR. NO: 4:11-CR-413
)	
VS)	MOTION TO REVEAL THE DEAL
)	
JOSEPH ROBERT GUERNSEY)	

The Defendant, Joseph Robert Guernsey, by and through his undersigned attorney, respectfully moves this Honorable Court for the entry of an order directing the Government forthwith to make inquiry and disclose all of the following within the possession, custody and control of the Government, or the existence of which is known, or by the exercise of due diligence could become known, to the Government:

1. Any and all records and information revealing felony convictions for guilty verdicts or juvenile adjudications or guilty verdicts attributed to each witness called by the Government, including, but not limited to, relevant “rap sheets.”
2. Any and all records and information revealing prior misconduct or bad acts attributed to the witness.
3. Any and all consideration or promises of consideration given to or on behalf of the witness or expected or hoped for by the witness. By “consideration” the Defendant refers to absolutely anything, whether bargained for or not, which arguably could be a value or use to a witness or to persons of concern to the witness, including, but not limited to, criminal, civil or tax immunity grants, relief from forfeiture, assistance or favorable treatment or recommendations with respect to any criminal, civil, tax court, court of claims, administration or other

legal dispute with the government or any other parties, payments of money or fees, witness fees and special witness fees, provisions of food, clothing, shelter, transportation, or other like benefits; placement in a ‘witness protection program,’ and anything else which arguably could reveal an interest, motive or bias in the witness in favor of the government or against the defense or act as an inducement to testify or to color testimony.

4. Any and all threats, expressed or implied, made against the witness, criminal prosecutions, investigations, or potential prosecutions pending or which could be brought against the witness, any probationary, parole or deferred prosecution status of witness, any civil, tax court, court of claims, administrative or other pending or potential legal disputes or transactions with the Government.
5. The existence and identification of each occasion on which the witness has testified before any court, grand jury or other tribunal or body or otherwise narrated, in relation to the Defendant and/or the investigation of the facts in this case.
6. The existence and identification of each occasion on which the witness, who is an informer, accomplice, co-conspirator, or expert, has testified before any court, grand jury or other tribunal or body.
7. Any and all personnel files for the witness and the existence and identity of all Government files for the witness.
8. Any and all records and/or information which arguably could be helpful or useful to the defense in impeaching or otherwise detracting from the probative force of the Government’s evidence or which arguably could lead to such records or

information.

9. The same records and information requested in items 1 through 8 above with respect to each non-witness declarant whose statements are offered in evidence.

I hereby certify that counsel has attempted to resolve these matters prior to filing this motion and prior to a Pre-Trial Conference, and have been unable to do so.

Respectfully submitted,

s/ L. Morgan Martin
L. Morgan Martin, Esquire
LAW OFFICES L. MORGAN MARTIN, P. A.
1121 Third Avenue
Conway, South Carolina 29526
843-248-3172
Attorney ID#1057

Conway, South Carolina

July 7, 2011